

SEALED 3:23-mj-00067

STATE OF OREGON)
) ss:
County of Multnomah)
)

AFFIDAVIT OF CLINTON LINDSLY

Affidavit in Support of a Criminal Complaint and Arrest Warrant

I, Clinton Lindsly, being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I have been employed as a Special Agent (SA) by the U.S. Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations (HSI) since August 2010. I am currently assigned to the child exploitation unit in the HSI office in Portland, Oregon. Previously, I was assigned to the HSI office in Los Angeles, California, where I worked for over six years in a money laundering and narcotics group that specialized in undercover operations. In 2018, I transferred to HSI Portland and continued to specialize in money laundering and narcotics investigations until January 2020. My formal law enforcement training includes successfully completing the 23-week HSI basic training course at the Federal Law Enforcement Training Center in Glynco, Georgia. During that training, I learned how to conduct child exploitation investigations. Since then, I have been involved in many child exploitation investigations and have assisted federal and state partners during their investigations. As such, I have become familiar with ways that child pornography is shared, distributed, and/or produced, including the use of various social media websites (Facebook, Twitter, Kik, Snap Chat, Discord, etc.), “cloud” based storage, and peer-to-peer (P2P) networks. Often, individuals involved in child exploitation will collect or store images and/or videos on various media devices they keep at their residences, or in offsite locations such as “cloud” based storage. I have also become familiar with jargon or slang terms that people involved in child exploitation will use to discuss their activities.

2. I have worked with agents involved in numerous investigations involving the sexual exploitation of children or the distribution, receipt, and possession of child pornography. I have participated in searches of premises and assisted in gathering evidence pursuant to search warrants, including search warrants in multiple child pornography investigations. I have participated in interviews of persons who possess and distribute child pornography.

3. I have participated in online undercover communications using messaging platforms with hundreds of people interested in the production, distribution, and receipt of child pornography. In my undercover role I have assisted in the administration of private chat groups dedicated to the production, distribution, and receipt of child pornography. As such, I have become familiar with platforms used to facilitate the production, distribution, and receipt of child pornography and their purposes.

4. I submit this affidavit in support of a criminal complaint charging **Liam Stuart BUTLER** with violations of *18 U.S.C § 2251(a)* - Sexual Exploitation of Children, referred to as the “**Target Offense**.” As set forth below, I have probable cause to believe that **BUTLER** committed the **Target Offense**.

5. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter. The facts set forth in this affidavit are based on my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, a review of records related to this investigation, communications with others who have knowledge of the events and circumstances described herein, and information gained through my training and experience.

Applicable Law

6. *Title 18, United States Code, § 2251(a)* makes it a crime for any person to employ, use, persuade, induce, entice, or coerce any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, if such person knows or has reason to know that the visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed, if the visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if the visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed.

Statement of Probable Cause

HSI Receives Information from UK Authorities

7. On March 30, 2023, I was contacted by our HSI London Attaché office regarding an investigation of **Liam BUTLER**, a citizen of the United Kingdom who was employed in the British Army and is approximately 28 years old. In summary, **BUTLER** was under investigation by United Kingdom authorities related to the online enticement of a minor and possession of child pornography. On July 19, 2022, **BUTLER** was arrested related to the above investigation and released on bail. The conditions of his bail included no contact with any person who states they are under the age of 16 or being alone with any person under the age of 16.

8. In November 2022, and after his arrest, investigators learned that **BUTLER** was suspected to be in an online relationship with two minor females in Oregon. The minor females were identified to be approximately 14 (hereinafter “Minor Victim-1” (MV-1)) and 10 years of

age (MV-2) when **BUTLER** first started to communicate with them.¹ It was reported to UK authorities that **BUTLER** first sexually exploited MV-1 online and had MV-1 produce sexually explicit content for him over the internet. **BUTLER** then ended the relationship with MV-1 and started a relationship with MV-2, beginning when MV-2 was approximately 10 years old. MV-2 also sent sexually explicit content to **BUTLER**. MV-1 is currently 17 years old, and MV-2 is currently 12 years old. In November 2022, UK authorities sent the above information to Oregon State Police (OSP) without a response.

9. On March 29, 2023, UK authorities reported **BUTLER** as a missing person. During their missing person investigation, it was learned that **BUTLER** left a suicide note. The note claimed that **BUTLER** was going to fly to the United States and kill himself somewhere so that nobody could find his body. A preliminary review of border crossing records revealed that **BUTLER** entered the United States at the JFK International Airport on March 27, 2023, by plane. **BUTLER**'s entry into the United States was approximately two days prior to UK authorities finding the suicide note.

10. During an entry inspection into the United States, **BUTLER** reported to customs officials that he intended to visit New York and then travel to Miami, Florida for approximately one week prior to flying back to London. **BUTLER** stated that he had no friends or family in the United States. **BUTLER** declared that he was in possession of approximately \$320 and credit cards. **BUTLER** reported that he would be staying at a hotel in New York. Since no derogatory information was located for **BUTLER**, he was admitted into the United States.

Investigators Identify MV-1 and MV-2

¹ The identities of MV-1 and MV-2 were not known to UK authorities when I received the investigative referral. However, this investigation led to their positive identification.

11. Based on the above information, it was suspected that **BUTLER** was in fact traveling to the United States for the purpose of meeting up with MV-2. Investigators attempted to locate **BUTLER** at his reported hotel in New York and learned that he never checked into the hotel. A subsequent query of domestic flights and car rentals also revealed no information.

12. On March 30, 2023, using various law enforcement databases, I was able to positively identify MV-1 and MV-2. Investigators then went and met with the mother of MV-1 and learned that MV-2 was in fact at home in Canby, Oregon.

13. At approximately 1:45 p.m., I went to MV-2's residence and met with MV-2 and MV-2's mother and father. Upon arriving, I learned that MV-1 had alerted MV-2 about law enforcement attempting to locate her regarding **BUTLER**. As a result, MV-2 alerted **BUTLER** by Snapchat that investigators were attempting to locate him and that she could not talk to him anymore. MV-2 "blocked" **BUTLER** on Snapchat, deleted all Snapchat messages, and uninstalled the application from her phone.

14. I conducted an interview with MV-2, during which MV-2 acknowledged that she knew "Liam Butler" and that she was recently communicating with **BUTLER** by Snapchat. When showed a photograph of **BUTLER**, MV-2 confirmed that was "Liam Butler." MV-2 stated that she had been in an online relationship with **BUTLER** since approximately June or July of 2021. MV-2 stated that she believed **BUTLER** was approximately 22 years old. MV-2 stated that she had sent sexually explicit images and videos of herself masturbating to **BUTLER** via Snapchat at least five times. MV-2 stated that the first time happened several weeks after they first met online in 2021 and the most recent time was approximately one week before **BUTLER** flew from the United Kingdom to the United States (i.e., March 2023). MV-2 stated that they also masturbated together over real-time video chat on Snapchat and that **BUTLER**

also sent her masturbation videos. MV-2 stated that she was located in Oregon each time she produced/sent sexually explicit videos to **BUTLER** over Snapchat.

15. When asked about the purpose of **BUTLER**'s travel to the United States, MV-2 confirmed that he was traveling to the United States to meet up with her. MV-2 stated that they talked about having sex together when he met up with her. MV-2 stated that **BUTLER** was supposed to be in Oregon in the middle of the following week (i.e., April 5, 2023) and that they planned to meet at a nearby park. MV-2 stated that **BUTLER** was traveling by bus and/or train and was currently located in Saint Louis, MO and was traveling to Arizona.

16. MV-2 agreed to reinstall the Snapchat application on her cell phone, unblock **BUTLER**'s Snapchat account, and re-initiate communication with **BUTLER** in the presence of agents. During the conversation, MV-2 told **BUTLER** that the investigation was a misunderstanding and that it was a spam call. **BUTLER** then asked MV-2 a series of challenge questions that only MV-2 would know the answer to, presumably to determine if law enforcement in fact had taken over her Snapchat account. Over the course of the next several hours, MV-2 communicated with **BUTLER** and was able to reassure **BUTLER** that he was not under investigation. **BUTLER** told MV-2 that he was on a train to Arizona and that he would arrive tomorrow morning at approximately 10:30 a.m. I assumed MV-2's online Snapchat account and seized MV-2's cell phone. MV-2's mother provided written consent to search the cell phone and assume the online presence of MV-2. The investigation is ongoing, and **BUTLER** is not currently in law enforcement custody.

Conclusion

17. Based on the foregoing, I have probable cause to believe that **Liam Stuart BUTLER** committed violations of 18 U.S.C § 2251(a) - Sexual Exploitation of Children

(Target Offense). I therefore respectfully request that the Court issue a criminal complaint and arrest warrant charging **Liam Stuart BUTLER** with those offenses.

Request for Sealing

18. It is respectfully requested that the Court issue an order sealing, until further order of the Court, all papers submitted in support of the requested criminal complaint and arrest warrant. I believe that sealing these documents is necessary because the person to be seized is relevant to an ongoing investigation and any disclosure of the information at this time may cause further flight from prosecution, the destruction of or tampering with evidence, intimidation of potential witnesses, or could otherwise adversely affect the integrity of the investigation

19. Prior to being submitted to the Court, this affidavit, the accompanying application, and the requested search warrants were all reviewed by Assistant United States Attorney Mira Chernick. AUSA Chernick advised me that in her opinion, the affidavit and application are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint.

(By telephone)

CLINTON LINDSLY

Special Agent

Homeland Security Investigations

Sworn to before me telephonically or by other reliable means pursuant to Fed. R. Crim.

P. 4.1 at 4:20 ~~an~~/pm on March 31, 2023.


HONORABLE JOLIE A. RUSSO

United States Magistrate Judge